



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,588	12/12/2000	Randy George	AUS920000563US1	4952

35525 7590 05/07/2004

DUKE W. YEE  
CARSTENS, YEE & CAHOON, L.L.P.  
P.O. BOX 802334  
DALLAS, TX 75380

EXAMINER

BAROT, BHARAT

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/735,588

Applicant(s)

GEORGE ET AL.

Examiner

Bharat N Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

**Specification**

1. The disclosure is objected to because of the following informalities: Page 1 does not contain the serial numbers of co-pending U.S. Patent Applications. Appropriate correction is required.

**Claim Rejections - 35 USC § 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Cheng et al (U.S. Patent No. 6,151,643). Cheng's patent meets all the limitations for claims 1-22 recited in the claimed invention.

4. As to claim 1, Cheng et al teach a method for updating client computers with user specific application enablement (see abstract; figure 1; and column 6 lines 10-62), comprising: creating a component control file which defines the enablement components needed to run applications on a client and the actions to be performed to

install those components (figure 1; column 3 lines 13-24; column 4 line 30 to column 5 line 6; and column 6 lines 31-50); and creating an installation control file which lists the applications that have been assigned to a user and the components from the component control file which must be installed in order to execute those applications (figure 2; column 7 line 40 to column 8 line 20; column 9 lines 38-44; column 11 line 55 to column 12 line 20; column 21 line 61 to column 22 line 27; column 24 lines 50-65).

5. As to claim 2, Cheng et al disclose that the applications are executed from a shared file server (service provider) by a client (figures 1 and 7-9; column 6 lines 10-62; column 8 line 62 to column 9 line 16; and column 9 line 56 to column 13 line 45).

6. As to claims 3-4, Cheng et al disclose that the component control file is stored in a server the installation control file is also stored in a server (figures 1 and 7; column 3 lines 13-24; column 6 lines 10-62; and column 10 line 13 to column 11 line 4).

7. As to claim 5, Cheng et al disclose that the installation control file is stored in a user-specific profile area in the server (figure 7; column 10 lines 13-24; column 19 line 49 to column 20 line 18; and column 20 lines 33-59).

8. As to claim 6, Cheng et al teach a method for updating client computers with user specific application enablement (see abstract; figure 1; and column 6 lines 10-62), comprising: reading a user's installation control file which contains a list of the

enablement components needed to run the set of applications that have been assigned to the user (figure 2; column 7 line 40 to column 8 line 20; column 9 lines 38-44; column 11 line 55 to column 12 line 20; column 21 line 61 to column 22 line 27; column 24 lines 50-65); and installing the enablement components on a client operating system, if those components are not already installed (column 3 lines 25-63; columnm11 line 55 to column 12 line 20; and column 14 line 29 to column 15 line 28).

9. As to claims 7-9, they are also rejected for the same reasons set forth to rejecting claims 2-5 above.

10. As to claim 10, Cheng et al teach the step of: prompting the user before installing the enablement components (columnm11 line 55 to column 12 line 20; and column 15 line 37 to column 16 line 15).

11. As to claims 11-20, they are also rejected for the same reasons set forth to rejecting claims 1-10 above, since claims 11-20 are merely a computer program product for the method of operation defined in the claims 1-10.

12. As to claims 21-22, they are also rejected for the same reasons set forth to rejecting claims 1 and 6 above, since claims 21-22 are merely an apparatus for the method of operation defined in the claims 1 and 6.

**Additional References**

13. The examiner as of general interest cites the following references.
- a. Zhu et al, U.S. Patent No. 6,654,032.
  - b. Cole et al, U.S. Patent No. 6,074,434.
  - c. Ma et al, U.S. Patent No. 5,920,725.

**Contact Information**

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bharat Barot whose telephone number is (703) 305-4092. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, can be reached at (703) 308-6662. A central official fax number is (703) 872-9306.

Any inquiry of general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-3900.

Patent Examiner Bharat Barot

Art Unit 2155

April 21, 2004

*Bharat Barot.*  
**BHARAT BAROT**  
**PRIMARY EXAMINER**